

Serial No. 10/674,885
Page 6 of 11

Remarks

Claims 1-19 are pending in the application.

Claims 5 and 13 are objected to for various informalities.

Claims 1-3 and 5-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman et al. (US 2002/0150083 A1, hereinafter Fangman).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fangman.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the

Serial No. 10/674,885
Page 7 of 11

original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Claim Objections

Claims 5 and 13 are objected to for various informalities.

Claims 5 and 13 have been amended as suggested by the Examiner.

As such, the Examiner is respectfully requested to withdraw the objections.

Rejection Under 35 U.S.C. 102

Claims 1-3 and 5-15

Claims 1-3 and 5-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman. The rejection is traversed.

Anticipation requires, in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim. Fangman fails to disclose each and every element of claim 1, as arranged the claim.

Specifically, Fangman fails to teach or suggest at least the limitations of "(c) creating a VPN identifier in the voice data; (d) passing the new communication to the terminating point; and (e) removing the VPN identifier from the voice data," as claimed in Applicants' claim 1.

Rather, Fangman merely discloses an IP telephony system supporting internal and external call sessions in which the system distinguishes between internal and external call sessions by comparing public IP addresses of a first Media Gateway and a second Media Gateway where the first Media Gateway is selected based on the source IP address and the second Media Gateway is selected based on the destination telephone number. Fangman is devoid of any teaching or suggestion of creating a VPN identifier in voice data. Similarly, Fangman is devoid of any teaching or suggestion of removing a VPN identifier from voice data. As such, Fangman fails to disclose each and every element of claim 1, as arranged the claim.

In the Office Action, the Examiner cites specific portions of Fangman, asserting that the cited portions of Fangman teach Applicants' claim 1. Namely, the Examiner

Serial No. 10/674,885

Page 8 of 11

cites Figures 4A, 4B, 6A – 6C, and 7A – 7C and, further, cites Paragraphs 0261 – 0275 and 0296 – 0343, asserting that the cited portions of Fangman disclose Applicants' claim

1. Applicants respectfully disagree

The first portion of Fangman cited by the Examiner (namely, Figures 4A and 4B, and the corresponding portions of the specification, Para. 0261 – 0275) has nothing to do with propagation of voice data. Rather, the cited portions of Fangman describe a process for initializing, configuring, and using an IP telephone. This portion of Fangman is devoid of any teaching or suggestion of propagating voice data. Rather, since the IP telephone is still being initialized and configured, the IP telephone is not yet participating in any voice calls and, thus, is not yet capable of transmitting any voice data. Thus, since the cited portion of Fangman is devoid of any teaching or suggestion of propagating voice data, the cited portion of Fangman must also fail to teach or suggest creating a VPN identifier in voice data or removing a VPN identifier from voice data.

The second portion of Fangman cited by the Examiner (namely, Figures 6A – 6C, and the corresponding portions of the specification, Para. 0296 – 0317) has nothing to do with propagation of voice data. Rather, the cited portions of Fangman describe a process by which an IP telephone registers with a Media Gateway Controller. This portion of Fangman is devoid of any teaching or suggestion of propagating voice data. Rather, the cited portion of Fangman merely describes signaling between the IP telephone and a Media Gateway Controller which registers the IP telephone, where the registration process is mediated by a Service Gateway. Since the IP telephone is not yet registered until completion of the described process, the IP telephone is unable participate in any voice calls and, thus, is not yet ready to propagate voice data at this point. Thus, since the cited portion of Fangman is devoid of any teaching or suggestion of propagating voice data, the cited portion of Fangman must also fail to teach or suggest creating a VPN identifier in voice data or removing a VPN identifier from voice data.

The third portion of Fangman cited by the Examiner (namely, Figures 7A – 7C, and the corresponding portions of the specification, Para. 0317 – 0343) has nothing to do with propagation of voice data. Rather, the cited portions of Fangman describe a call setup process by which an IP telephone initiates a call to another telephone. This portion of Fangman is devoid of any teaching or suggestion of propagating voice data. Rather,

Serial No. 10/674,885
Page 9 of 11

the cited portion of Fangman merely describes signaling by which the call is setup in order to then enable voice data to be exchanged between the endpoints. Throughout the process, Fangman describes the propagation of Call Setup data, not voice data. Since the VoIP call is not yet established until completion of the described process, the IP telephone is unable to propagate voice data at this point (i.e., until the described Call Setup process is completed). Thus, since the cited portion of Fangman is devoid of any teaching or suggestion of propagating voice data, the cited portion of Fangman must also fail to teach or suggest creating a VPN identifier in voice data or removing a VPN identifier from voice data.

As such, independent claim 1 is not anticipated by Fangman and is patentable under 35 U.S.C. 102. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Fangman.

Therefore, Applicants' claims 1-3 and 5-15 are allowable over Fangman. under 35 U.S.C. 102. The Examiner is respectfully requested to withdraw the rejection.

Claims 16-19

Claims 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman. The rejection is traversed.

Anticipation requires, in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim. Fangman fails to disclose each and every element of claim 16, as arranged the claim.

Specifically, the Fangman reference fails to teach or suggest at least the limitations of "at least one packet switch having an interface to said at least one soft-switch, said packet switch having a VPN processing module for establishing voice calls on a selection of originating and terminating IP addresses passed to the at least one soft-switch and at least one packet switch," as claimed in Applicants' claim 16.

Rather, Fangman merely discloses an IP telephony system supporting internal and external call sessions in which the system distinguishes between internal and external call sessions by comparing public IP addresses of a first Media Gateway and a second Media

Serial No. 10/674,885

Page 10 of 11

Gateway where the first Media Gateway is selected based on the source IP address and the second Media Gateway is selected based on the destination telephone number.

Although Fangman discloses that first and second Media Gateways exchange IP addresses, and that a Media Gateway and Service Gateway may exchange messages which may include different combinations of public and/or private IP addresses, Fangman is devoid of any teaching or suggestion that a selection of originating and terminating IP addresses is passed to at least one softswitch and at least one packet switch for use by a VPN processing module of the packet switch for establishing voice calls, as claimed in Applicants' claim 16. Thus, Fangman fails to disclose each and every element of claim 16, as arranged the claim.

As such, independent claim 16 is not anticipated by Fangman and is patentable under 35 U.S.C. 102. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Fangman.

Therefore, Applicants' claims 16 - 19 are allowable over Fangman. under 35 U.S.C. 102. The Examiner is respectfully requested to withdraw the rejection.

Rejection Under 35 U.S.C. 103(a)

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fangman. The rejection is traversed.

This ground of rejection applies only to a dependent claim, and is predicated on the validity of the rejection under 35 U.S.C. 102 given Fangman. Since the rejection under 35 U.S.C. 102 given Fangman has been overcome, as described hereinabove, this ground of rejection cannot be maintained.

Therefore, Applicants' claim 4 is allowable over Fangman under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

Secondary References

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary

Serial No. 10/674,885
Page 11 of 11

references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.


Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

Dated: 10/22/07



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